

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH.

Crl. Misc. No. 71674-M of 2006.
Date of Decision: April 23, 2007.

Teja Singh

....Petitioner

through
Mr. D.S.Daler, Advocate

Versus

State of Punjab & Ors.

...Respondent
through
Mr. Rajesh Bhardwaj, DAG, Punjab.

CORAM:

HON'BLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

The petitioner, who is a life convict in a case arising out of FIR No. 261 dated 18.8.1987, under Section 302 IPC etc., 25 Arms Act and 3(4) of the Terrorists Disruptive and Activities (Prevention) Act, registered at Police Station, Banghapurana, seeks a direction for his premature release on the ground that he has already completed the requisite period of sentence.

In their reply/affidavit dated 25.1.2007, the respondents have disclosed that the petitioner has already completed actual sentence of 13 years, 10 months and 26 days and total sentence including remissions of 20 years.

According to the respondents, the petitioner, however, is not entitled for premature release on the ground that he committed a

jail offence as he secured six weeks' parole on the basis of fake revenue record for which a sentence of deduction of 12 days out of the remission period has been imposed upon him after getting the same approved from the learned District & Sessions Judge, Patiala.

As of now, even after excluding 12 days remission, it appears that the petitioner has undergone actual sentence of more than 14 years and total sentence of more than 20 years with remissions. It, thus, further appears that the petitioner has earned eligibility for consideration of his case for release from jail on completion of requisite period of sentence.

Consequently, this petition is disposed of with a direction to the respondents to initiate and decide the case of the petitioner for premature release within a period of one month from the date a certified copy of this order is received.

Disposed of.

April 23, 2007.
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(SURYA KANT)
JUDGE